



DOCKET NO.: PRES06-00217

Customer No.: 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Ronald A. Schachar
Application No. : 09/940,722
Filed : August 27, 2001
For : SCLERAL PROSTHESIS FOR TREATMENT OF PRESBYOPIA
AND OTHER EYE DISORDERS
Group No. : 3738
Examiner : David H. Willse

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

The undersigned hereby certifies that the following documents:


1. Postcard receipt;
2. Information Disclosure Statement;
3. Copy of Search Report in connection with European Patent Application No. 05 07 7198;
4. Forms PTO/SB/08A & B;
5. One (1) reference; and
6. Check in the amount of \$180.00

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 27, 2006.

Date: 3-27-06

Date: March 27, 2006


Maller


William A. Munck
Reg. No. 39,308

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: wmunck@davismunck.com



DOCUMENT NO.: PRES06-00217
Customer No.: 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Ronald A. Schachar
Application No. : 09/940,722
Filed : August 27, 2001
For : SCLERAL PROSTHESIS FOR TREATMENT OF
PRESBYOPIA AND OTHER EYE DISORDERS
Group No. : 3738
Examiner : David H. Willse

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, Applicant submits this statement.

This submittal is made in accordance with 37 C.F.R. §§ 1.97 and 1.98 and § 609 of the Manual of Patent Examining Procedure. The references herein are listed below and on the attached Forms PTO/SB/08A & B. These references were located during the European Search Report issued in the related European Patent Application No. 05 07 7198, a copy of which is attached hereto. A copy of the listed publication is submitted herewith.

04/03/2006 MBIZUNES 00000030 09940722

01 FC:1806

180.00 0P

-1-

<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Date</u>
3,064,643	J. H. Dixon	November 20, 1962
4,961,744	Kilmer et al.	October 9, 1990
4,976,719	Siepsner	December 11, 1990

Publication

Ronald A. Schachar, MD, PhD, "Cause and Treatment of Presbyopia with a Method for Increasing the Amplitude of Accommodation", Annals of Ophthalmology, December 1992, pp. 445-447, 452.

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above Patents and to question the relevance and materiality of the Patents and Publications listed herein, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

In accordance with 37 C.F.R. 1.97(e), the undersigned certifies that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

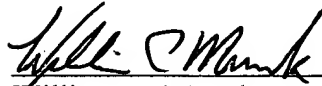
This Information Disclosure Statement is being transmitted after the mailing date of the first Office Action on the merits. Therefore, Applicant encloses a check in the amount of \$180.00 for the Information Disclosure Statement filing fee.

DOCKET NO.: PRES06-00217
APPLICATION NO.: 09/940,722
PATENT

Respectfully submitted,

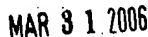
DAVIS MUNCK BUTRUS, P.C.

Date: March 27, 2006

A handwritten signature in black ink, appearing to read "William A. Munck", is written over a horizontal line.

William A. Munck
Registration No. 39,308

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
Email: wmunck@davismunck.com



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet	1	of	2
-------	---	----	---

Complete if Known

Application Number	09/940,722
Filing Date	August 27, 2001
First Named Inventor	Ronald A. Schachar
Art Unit	3738
Examiner Name	David H. Willse
Attorney Docket Number	PRES06-00217

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Patent Information Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	09/940,722		
		Filing Date	August 27, 2001		
		First Named Inventor	Ronald A. Schachar		
		Art Unit	3738		
		Examiner Name	David H. Willse		
Sheet	2	of	2	Attorney Docket Number	PRES06-00217

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BA	Ronald A. Schachar, MD, PhD, "Cause and Treatment of Presbyopia with a Method for Increasing the Amplitude of Accommodation", Annals of Ophthalmology, December 1992, pp. 445-447, 452.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.